



IDS

3662/1 H.S.

Approved for use through 04/30/2003. OMB 0651-0031  
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<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	09/862,914	
	Filing Date	May 22, 2001	
	First Named Inventor	Daniel J. Magine	
	Art Unit	3662	
	Examiner Name	Daniel Pihulic	
Total Number of Pages in This Submission	18	Attorney Docket Number	DJM0001

ENCLOSURES (Check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form	<input checked="" type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to a Technology Center (TC)
<input checked="" type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	
<input checked="" type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Response to Missing Parts/Incomplete Application	<b>Remarks</b> Fee Transmittal (1 pg.), Fee (personal check), IDS (2 pages), Form 1449 (2 pgs.), Web page references (9 pgs.), Letter to Draftperson (1 pg.), Formal drawings (2 pgs.), Return post card.	
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		
<b>SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT</b>		
Firm or Individual	Daniel J. Magine	
Signature	<i>Daniel J. Magine</i>	
Date	03-28-2003	

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CERTIFICATE OF TRANSMISSION/MAILING		
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date: 03-28-2003		
Typed or printed	Daniel J. Magine	
Signature	<i>Daniel J. Magine</i>	Date 03-28-2003

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

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**FEE TRANSMITTAL  
for FY 2000**

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$ 180.00)

**Complete if Known**

Application Number	09/862,914
Filing Date	May 22, 2001
First Named Inventor	Daniel J. Magine, et al.
Examiner Name	Daniel Pihulic
Group/Art Unit	3662
Attorney Docket No.	DJM0001

**METHOD OF PAYMENT (check one)**1. ☐ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:Deposit Account Number Deposit Account Name ☐ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.172. ☒ Payment Enclosed:☒ Check ☐ Money Order ☐ Other**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description	Fee Paid
101	710	201	355	Utility filing fee	
106	320	206	160	Design filing fee	
107	490	207	245	Plant filing fee	
108	710	208	355	Reissue filing fee	
114	150	214	75	Provisional filing fee	

SUBTOTAL (1) (\$)

**2. EXTRA CLAIM FEES**

Total Claims	Extra Claims	Fee from Below	Fee Paid
Independent Claims	-20**=	X	
Multiple Dependent	-3**=	X	
		0	0

\*\*or number previously paid, if greater; For Reissues, see below

Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description
103	18	203	9	Claims in excess of 20
102	80	202	40	Independent claims in excess of 3
104	270	204	135	Multiple dependent claim, if not paid
109	80	209	40	**Reissue independent claims over original patent
110	18	210	9	**Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$)

**FEE CALCULATION (continued)****3. ADDITIONAL FEES**

Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description	Fee Paid
105	130	205	65	Surcharge - late filing fee or oath	
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	390	216	195	Extension for reply within second month	
117	890	217	445	Extension for reply within third month	
118	1,390	218	695	Extension for reply within fourth month	
128	1,890	228	945	Extension for reply within fifth month	
119	310	219	155	Notice of Appeal	
120	310	220	155	Filing a brief in support of an appeal	
121	270	221	135	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,240	241	620	Petition to revive - unintentional	
142	1,240	242	620	Utility issue fee (or reissue)	
143	440	243	220	Design issue fee	
144	600	244	300	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Petitions related to provisional applications	
126	240	126	240	Submission of information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	710	246	355	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	710	249	355	For each additional invention to be examined (37 CFR § 1.129(b))	

Other fee (specify) IDS under 37 CFR 1.97(d) with fee per 37 CFR 1.17(p)

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3)

(\$ 180.00)

**SUBMITTED BY**

Name (Print/Type) Daniel J. Magine

Registration No. (Attorney/Agent)

**Complete (if applicable)**

Telephone 847-776-9466

Signature

*Daniel J. Magine*

Date

03-28-2003



NONPROVISIONAL PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

*Examiner:* Daniel Pihulic  
(703) 306-4168 (ph), (703) 872-9326 (fax: non-final response)  
*Inventors:* Daniel J. Magine and Kevin D. Kaschke  
*Docket No.:* DJM0001 *Priority Date:* None  
*Appln. No.:* 09/862,914 *Group Art Unit:* 3662  
*Filing Date:* May 22, 2001 *Conf. No.:* 9837  
*Entitled:* Underwater Alert System

14  
IDS  
Bates  
6/19/03

Daniel J. Magine  
2217 West Palatine Road  
Inverness, Illinois 60067  
847-776-9466

March 27, 2003

Assistant Commissioner for Patents  
Washington, D.C. 20231

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**INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. 1.97(d)**

**1. Prosecution Status**

After receiving the Notice of Allowance and Issue Fee Due dated January 13, 1003 for the above identified patent application, the Applicant hereby submits the present Information Disclosure Statement under 37 C.F.R. 1.97(d).

**2. Statements**

a. Applicant submits herewith information that may be material to the examination of the present patent application, for which there may be a duty to disclose.

b. No item of the information contained in the present Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification, after making a reasonable inquiry, no item of information contained in the present Information Disclosure Statement was known to any individual designated in Section 1.56 (c ) more than three months prior to the filing of the present Information Disclosure Statement.

c. The filing of this Information Disclosure Statement shall not be construed as a representation that a search has been made (37 C.F.R. 1.97(g)), an admission that the information cited is, or is considered to be, material to patentability as defined in Section 1.56(b), or that no

other material information exists.

d. The filing of this Information Disclosure Statement shall not be construed as an admission against interest in any manner.

**3. Form PTO-1449**

Form PTO-1449 listing the information is attached herewith.

**4. Copies of Listed Information Accompanying This Information Disclosure Statement**

Legible copies of all items listed in Form PTO-1449 are attached herewith.

**5. Identification of Person Making This Information Disclosure Statement**

The person making this certification is an inventor and the assignee who signs below based on the information known to him as of the date signed below, which information is associated with the filing and prosecution of the present patent application.

**6. Return Communications**

Any inquiry related to this response should be communicated to Daniel J. Magine at the address and phone number presently on file with the USPTO, and as noted above.

Respectfully submitted,  
Daniel J. Magine, et al.

By: *Daniel J. Magine*  
Daniel J. Magine 03-28-2003